



10/607,043
34035US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Edward L. Sughrue, Bobby G. Cockrell, Glenn W. Dodwell,
and Brent J. Bertus

Serial No.: 10/607,043

Group Art Unit: 1764

Filed: June 26, 2003

Examiner: Unknown

For: DESULFURIZATION WITH OCTANE ENHANCEMENT

PETITION UNDER 37 C.F.R. 1.47

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Petition under 37 C.F.R. 1.47 because of the refusal of one of the joint inventors, Brent J. Bertus, to sign the application papers. Charges to Deposit Account 16-1575 for any fees required for this Petition under 37 C.F.R. 1.17(h) are herein authorized. I, Lynda S. Jolly, U.S.P.T.O. Registration No. 32,736, am an in-house patent attorney for ConocoPhillips Company and I am responsible for this patent application. Pursuant to Chapter 409.03(d) of the MPEP, this is a statement of the facts by Lynda S. Jolly.

Inventor Brent Bertus retired from Phillips Petroleum Company, now ConocoPhillips Company, on March 21, 1999. Inventor Bertus lives at 1318 Swan Drive, Bartlesville, Oklahoma 74006-5125 and his phone number is 918-333-2964.

I presented all of the inventors with the Assignment and Declaration, Power of Attorney and Petition documents for signature. Inventors Sughrue, Cockrell and Dodwell signed the documents on July 29, 2003.

I personally had lunch with Brent Bertus and Ed Sughrue, a co-inventor, on June 13, 2003 and presented him with papers. Inventor Bertus took the papers with him and said, "he would think about signing the papers." He has never returned the papers to me. Subsequent to that lunch meeting, I spoke several times on

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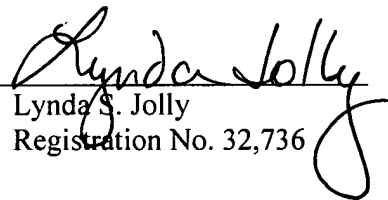
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the telephone with Inventor Bertus about signing the documents and he indicated that he would think about signing the documents. I also sent him electronic copies of the documents in September, 2003 and he has not signed nor returned the documents to me. Inventor Sughrue also has spoken with Inventor Bertus and Inventor Bertus indicated that he is no longer interested in participating in any patent matters on behalf of ConocoPhillips Company relating to this invention.

In view of the above information, Applicants respectfully request that Inventor Bertus' conduct constitutes a refusal to sign and request that this application proceed based on this Petition.

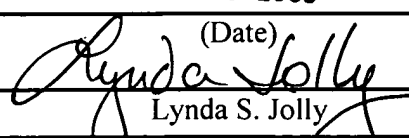
Respectfully submitted,

RICHMOND, HITCHCOCK,
FISH & DOLLAR

By 
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LSJ:ck

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<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on</p> <p style="text-align: center;">DEC 18 2003</p> <p style="text-align: center;">_____ (Date)</p> <p style="text-align: center;"> Lynda S. Jolly</p>
